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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,082	09/19/2005	Shigeru Ogawa	52433/817	1447
26646	7590	10/25/2006	EXAMINER	
KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004			SUHOL, DMITRY	
			ART UNIT	PAPER NUMBER
			3725	

DATE MAILED: 10/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/550,082

Applicant(s)

OGAWA ET AL.

Examiner

Dmitry Suhol

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/5/06, 1/25/06, 9/19/05</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-2, 7 and 9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The limitations of "a left-right swiveling component of roll gap of said rolling mill" was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. There is absolutely no disclosure of what constitutes the aforementioned swiveling component and thus one of ordinary skill in the art would not be able to make or use the invention.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 5, there is no antecedent basis for "said device for pressing said work roll chock".

Regarding claim 6, no offset is being claimed thus the positioning of the device for pressing is not clear.

Claim Rejections - 35 USC § 102/103

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 3 is rejected under 35 U.S.C. 102(b) as being anticipated by Kondo et al 196. Kondo discloses a rolling mill comprising various rolling stands having load detection devices (Dle, Dld, Drd, Dre) for measuring rolling direction force acting on work roll chocks (15, 16) arranged on both entry side and exit side of the roll chocks in a rolling direction on both operator side and driving side of the work rolls (figure 2).

Should Kondo be later deemed not meet claim 3 because Kondo does not disclose back up rolls, it would have been obvious to incorporate back-up rolls in the rolling stands of Kondo for the purpose of providing a stand which is capable of producing large amount of force with working rolls of a relatively small diameter thus producing a better quality product.

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Claims 3-6 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Watanabe et al (JP 06-269818). Watanabe discloses all of the claimed elements including work chocks (4a, 4b), load cells (8) and hydraulic cylinders (7), see abstract.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al '080 in view of Furui et al (JP 60-046812). Suzuki discloses a rolling stand which teaches the positioning load detection devices (16) on a driving side of a stand for measuring force acting on work roll chocks with an arrangement such that the devices are positioned on both the entry side and exit side of the roll chocks (figures 1, 7 and 9).

Furui is relied upon to teach that it is known to manufacture rolling stand such that load detection devices (1) are positioned on both the operator and driving side of the stand (see abstract and figures 1 and 2) for the purpose of detecting small amounts of material meandering based on the difference between the load cells on the two sides. Therefore it would have been obvious to one having ordinary skill in the art, at the time of the claimed invention, to have manufactured the stand of Suzuki with load detection devices positioned on the operator side of the stand for the purpose of detecting small

amounts of material meandering based on the difference between the load cells on the two sides.

As best understood the limitations of claims 1 are obviated by the combination of Suzuki and Furui where the measuring and calculating steps are taught by Furui as stated above and the control of the left-right swiveling component is read onto the control of members 4, 6 and 7 or member 15. Therefore it would have been obvious to incorporate the controlling step in the device of Suzuki for the purpose of controlling the roll gap and all variables associated therewith.

Claims 1, 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al '196 in view of Furui et al (JP 60-046812). Furui is relied upon to teach that it is known to manufacture rolling stand such that load detection devices (1) are positioned on both the operator and driving side of the stand (see abstract and figures 1 and 2) for the purpose of detecting small amounts of material meandering based on the difference between the load cells on the two sides. Therefore as best understood the limitations of claims 1 are obviated by the combination of Kondo and Furui where the measuring and calculating steps are taught by Furui as stated above and the control of the left-right swiveling component is read onto the control of members 4, 6 and 7 or member 15. Therefore it would have been obvious to incorporate the controlling step in the device of Suzuki for the purpose of controlling the roll gap and all variables associated therewith.

Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al '080 and Furui et al (JP 58-057891), as stated above, and further in view of Ogawa (JP 07-214131). Ogawa is relied upon to teach that it is known to measure a camber of a rolled material and to learn a control target value of the difference of the rolling direction force between the operator side and driving side on the basis of the camber in order to control quality of the workpiece through controlling the camber and meandering (see abstract). Therefore it would have been obvious to include the above steps in the method and device of Suzuki, as modified by Furui, for the purpose of producing a quality workpiece.

Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al '196 and Furui et al (JP 58-057891), as stated above, and further in view of Ogawa (JP 07-214131). Ogawa is relied upon to teach that it is known to measure a camber of a rolled material and to learn a control target value of the difference of the rolling direction force between the operator side and driving side on the basis of the camber in order to control quality of the workpiece through controlling the camber and meandering (see abstract). Therefore it would have been obvious to include the above steps in the method and device of Kondo, as modified by Furui, for the purpose of producing a quality workpiece.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al (JP 06-269818) in view of Teruo (JP 59-110408). Watanabe lacks the

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teaching of camber measurement device, however Teruo clearly discloses that it is known to provide such devices (33) with rolling stands for the purpose of correcting camber (see abstract and figure).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Suhol whose telephone number is 571-272-4430. The examiner can normally be reached on Mon - Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Dmitry Suhol
Primary Examiner
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